

The original Letters Patent was surrendered to the U.S. Patent and Trademark Office on July 18, 2002. Attached hereto as Exhibit A is a copy of a postcard evidencing that U.S. Patent 5,587,789 was stamped as received by Technology Center 2600 on July 18, 2002.

To the extent that the U.S. Patent was previously submitted to the U.S. Patent and Trademark Office, Applicants respectfully submit that the original patent is now "inaccessible" and that it is not possible for them to surrender the original patent again. Apparently, the patent was lost by the U.S. Patent and Trademark Office.

CONCLUSION

Applicants thank the Examiner for the many courtesies extended during the telephone conversations conducted in August and September 2002. During the conversations, the Examiner stated that Applicants should make the above statements to clarify the record. The Examiner indicated that a Notice of Allowance would be forthcoming.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By James T. Eller, Jr. #41,458
James T. Eller, Jr.
Reg. No. 39,538

JTE/SLL:lmh

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment: Stamped Postcard of July 28, 2002